

REMARKS

This response is a submission accompanying a Request for Continued Examination (RCE) under 37 CFR § 1.114 for the above-identified application.

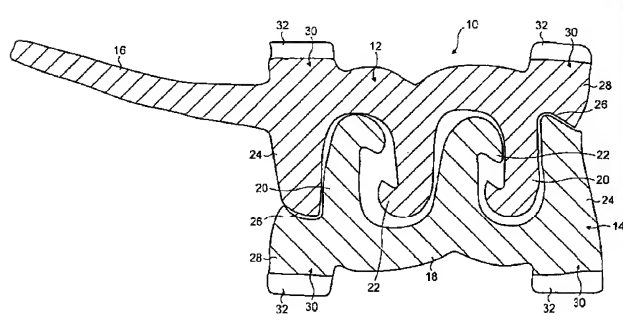
Claims 9-13, 15-16, and new claims 17-19 are now pending.

Independent Claim 16 has been amended, and thus all previous rejections to it, and its dependent claims, are now moot. Applicant submits that as amended, the Examiner should strongly reconsider the applicability of the Malin reference (US 6,167,597) to this claim.

New Independent Claim 17 has been added to protect an invention the Applicant wishes to protect. Claim 17 recites:

A zipper strip for a reclosable package, comprising:
a first portion comprising:
a receiver that is cup-shaped in cross-section;
a first hook adjacent to the cup-shaped receiver;
a second hook spaced apart from the first hook; and
a post spaced apart from the second hook, and having a distal profile complementary to the cup-shaped receiver; and
a second portion, substantially identical to the first portion on a first side, and sealingly complementary to the first portion, such that in the sealed position, the hooks of the respective portions engage and the cup-shaped receivers are disposed other than medial to the zipper strip.

Support for the claim may be found in the drawing, for example. If one examines the drawing, it is apparent that the two portions are substantially identical on their engaging



portions, it is only because they face each other and one is flipped lengthwise with respect to the other that they engage. To readily orient the Examiner to the terms used, the post is 24, the hooks are 20 and 22, and the receiver is the area adjacent to post end 26. In the drawing, there is also a flange 16

and ribs 32 that are claimed in new dependent claims 18 and 19 respectively.

Also, if one draws an imaginary line left to right (here) through the median of the strip, it is apparent that the posts ends and receivers are offset from the median.

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PROCEDURE PURSUANT TO
37 CFR § 1.116**

The Malin reference (US 6,167,597) has two distinct nonequivalent portions, as shown in Fig. 1. Thus, the Malin reference fails to disclose Claim 17's requirement of a second portion substantially identical to a first portion. Likewise, the Malin reference fails to disclose the receiver/hook/hook/post arrangement as claimed in Claim 17.

The Malin reference also fails to disclose cup-shaped receivers for the equivalent of a post (28 presumably, as the Examiner has previously treated male interlocking members 18 and 20 as hooks). Regardless of previous interpretations, the Malin reference fails to disclose cup-shaped receivers on the same portion as a "hook."

Finally, the Malin reference fails to teach a post "having a distal profile complementary to the cup-shaped receiver" as claimed.

Any one of these differences is sufficient to prevent an anticipation rejection of new Claim 17 based on the Malin reference.

The Examiner is cordially encouraged to call the undersigned to discuss any questions or concerns.

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